IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

THURSDAY, THE 19TH JULY 2007 / 28TH ASHADHA 1929

WP(C).No. 22409 of 2006(P)

PETITIONER:

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1. JALAJA DEVI S, AGED 50 YEARS,
   W/O.SASIDHARAKUMAR, JUNIOR P.H. NURSE GRADE I,
   PRIMARY HEALTH CENTRE, ELANADU, THRISSUR
   RESIDING AT KAITHAKKAL HOUSE, VENNOOR (P.O.),
   PAZHAYANNOR VIA, THRISSUR.

2. INDIRA PR.,JUNIOR P.H. NURSE GRADE I,
   PRIMARY HEALTH CENTRE, MUKKOM, KOZHIKODE.

3. K.N.VASUMATHYAMMA, JUNIOR P.H. NURSE
   GRADE I, PRIMARY HEALTH CENTRE, NENMENIKARA,
   THRISSUR.

4. ELSAMMA STEPHEN, JUNIOR P.H.NURSE
   GRADE-I, PRIMARY HEALTH CENTRE, VELLOOKKARA,
   THRISSUR.

BY ADV. SRI.NIDHI BALACHANDRAN

RESPONDENTS:

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1. STATE OF KERALA REPRESENTED BY ITS
   SECRETARY TO THE GOVERNMENT, DEPARTMENT OF HEALTH
   AND FAMILY WELFARE, SECRETARIAT,
   THIRUVANANTHAPURAM.

2. DIRECTOR,
   DIRECTORATE OF HEALTH SERVICES,
   THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI.P. NANDAKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 22409 of 2006

APPENDIX

PETITIONERS EXHIBITS:

EXHIBIT-P1: TRUE COPY OF THE ORDER DATED 19.11.92 ISSUED BY THE DISTRICT OFFICER, ERNAKULAM

EXHIBIT-P2: TRUE COPY OF THE CERTIFICATE ISSUED BY THE KERALA NURSES AND MIDWIVES COUNSEL TO THE 1ST PETITIONER

EXHIBIT-P3: TRUE COPY OF THE CERTIFICATE ISSUED BY THE KERALA NURSES AND MIDWIVES COUNSEL TO THE 3RD PETITIONER

EXHIBIT-P4: TRUE COPY OF THE JUDGMENT DATED 8.11.205 IN W.P. (C) NO.31136/05 OF THIS HONOURABLE COURT.

/TRUE COPY/

K.BALAKRISHNAN NAIR, J.

W.P.(C) No.22409 of 2006-P

Dated this the 19th day of July, 2007.

J U D G M E N T

The petitioners are Junior Public Health Nurses Grade-I, working under the respondents. Their next promotion post is Lady Health Inspector. Alleging that, even though there are several vacancies, they are not being considered for promotion, this writ petition is filed.

2. The second respondent has filed a statement in which it is submitted that Rank No.809 in the feeder category is the last person promoted to the post of Lady Health Inspector. The rank of petitioners 2 to 4 respectively are 1643, 1857 and 1351. Since, the first petitioner joined the unit only in 1995 on inter-district transfer, she is not included in the rank list published in December, 1993.

3. The learned Government Pleader submitted that as and when vacancies arise, persons included in the seniority list of feeder category will be promoted. This submission is recorded. If the petitioners have got any dispute regarding the seniority list, they are free to challenge it.

The Writ Petition is disposed of as above.

K.BALAKRISHNAN NAIR,
JUDGE.

MS